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7
8 IN THE UNITED STATES DISTRICT COURT
9
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 REAL PROPERTY LOCATED AT 15999
15 RIVER ROAD, GUERNEVILLE,
16 CALIFORNIA, SONOMA COUNTY, APN:
070-050-032-000, INCLUDING ALL
17 APPURTENANCES AND IMPROVEMENTS
THERETO, AND

18 A PROMISSORY NOTE SECURED BY A
19 MORTGAGE DATED JULY 25, 2022, AND
RECORDED IN THE COUNTY OF FRESNO,
20 CALIFORNIA ON JULY 28, 2022 IN THE
AMOUNT OF \$692,500.00, SECURED BY
REAL PROPERTY LOCATED AT 2930
21 LOCAN AVENUE, CLOVIS, CALIFORNIA,
APN: 555-250-41,

22 Defendants.

2:24-CV-00889-TLN-JDP

23
24 PROTECTIVE ORDER

25 This matter having come before this Court on the application of the United States of America for
26 entry of a protective order pursuant to 18 U.S.C. § 983(j)(1)(A), which provides courts with jurisdiction
27 to enter restraining orders and take such other action in connection with any property or other interest
subject to forfeiture to ensure its availability for forfeiture; and

1 IT APPEARING TO THE COURT THAT:

2 The United States has filed a civil forfeiture complaint with respect to the *in rem* defendant
3 known as the Promissory Note secured by a mortgage on real property located at 2930 Locan Avenue in
4 Clovis, California.

5
6 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, PURSUANT TO
7 18 U.S.C. § 983(j)(1)(A) THAT:

8 The above-referenced property is hereby restrained in the manner described below.

- 9 1. Potential claimants shall not sell, transfer, negotiate, convey or dispose of the above-
10 referenced property specified in this protective order without further order of this Court.
- 11 2. Potential claimants shall not grant, convert, or otherwise modify the above-referenced
12 property specified in this protective order without further order of this Court, nor shall
13 potential claimants honor any demands by anyone or any entity to leverage or borrow
14 against the above-referenced property specified in this protective order without further
15 order of this Court.
- 16 3. That the potential claimants shall remit all disbursement or remuneration including but not
17 limited to, interest or accounting payments, affiliated with the above-referenced property
18 specified in this protective order payable to the U.S. Department of Treasury and sent to
19 the Internal Revenue Service - Criminal Investigation, 4330 Watt Avenue, M/S 4509,
20 Sacramento, California 95821, Attn: Dawn Penner, AFC. Any such payments will be
21 deposited into a Treasury suspense account; the IRS will provide an accounting for the
22 funds received as the Court deems appropriate.
- 23 4. That the potential claimants shall send copies of all future correspondence pertaining to
24 the above-referenced property specified in this protective order including but not limited
25 to, statements and accounting notices, to the Internal Revenue Service - Criminal
26 Investigation, 4330 Watt Avenue, M/S 4509, Sacramento, California 95821, Attn: Dawn
27 Penner, AFC.

1 The United States shall notice this Order on all potential claimants to the Promissory Note
2 discussed above, including, but not limited to, those associated with, and members of, Creative Property
3 Holdings LLC, the defendant in the related criminal case and their attorneys, and the owners of the real
4 property located at 2930 Locan Avenue in Clovis, California.

5 This Court shall retain jurisdiction of this matter for all purposes. The terms of this order shall
6 remain in full force and effect until judgment is rendered on the civil forfeiture complaint filed with
7 respect to the above-referenced property, or further order of the Court. In the event a party chooses to
8 modify the terms of the protective order, they can do so only with prior approval of the Court upon notice
9 to the United States and an opportunity for the United States to be heard.

10 SO ORDERED this 26th day of March 2024.

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TROY L. NUNLEY
United States District Judge